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HOW THE GOVERNMENT
HANDLED ITS LABOR
PROBLEMS

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HOW THE GOVERNMENT HANDLED ITS LABOR PROBLEMS DURING THE WAR

HANDBOOK
of the Organizations
associated with the
National Labor Administration

With Notes on their
Personnel, Functions and Policies



PREPARED BY
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Table of Contents

	PAGE
DEPARTMENT OF LABOR	4
Labor Administrator	4
Labor Cabinet	5
Bureau of Labor Statistics	5
Bureau of Immigration	5
Bureau of Naturalization	5
Children's Bureau	5
Labor Adjustment Service	6
Employment Service	6
Information and Education Service	7
Training and Dilution Service	8
Working Conditions Service	8
Investigation and Inspection Service	8
Bureau of Industrial Housing and Transportation	8
Woman in Industry Service	9
War Labor Policies Board	10
Creation	10
Jurisdiction and Function	10
Personnel and Organization	11
Policies	12
Machinery for Application and Enforcement	12
War Labor Conference Board	12
Creation	12
Personnel	13
Function	13
NATIONAL WAR LABOR BOARD	13
Creation	13
Personnel	14
Principles and Policies	15
Purpose and Function	17
Application and Enforcement of Awards	19
Important Awards	19
WAR DEPARTMENT	21
General Orders #58	21

	PAGE
Ordinance Bureau: Production Division	21
Industrial Service Section	21
<i>Creation</i>	21
<i>Purpose and Function</i>	21
<i>Policies</i>	22
General Orders #13	22
Women's Branch	23
Application and Enforcement	23
Quartermaster's Bureau	24
Industrial Relations Branch	24
Board for Control of Labor Standards in Army Clothing	24
Harness and Saddlery Adjustment Commission	24
Creation	24
Personnel	24
Purpose and Function	25
Application and Enforcement	26
Aircraft Production Board	27
Industrial Relations Department	27
<i>Creation</i>	27
<i>Personnel</i>	27
<i>Policies</i>	27
<i>Application and Enforcement of Awards</i>	28
Cantonment Adjustment Commission	28
Creation	28
Personnel	28
Function and Principles	28
Extensions	29
Navy Construction	29
Emergency Construction Adjustment Commission	29
Personnel	29
Jurisdiction and Function	29
NAVY DEPARTMENT	30
UNITED STATES SHIPPING BOARD AND EMERGENCY FLEET CORPORATION	31
National Adjustment Commission	31
Creation: Longshoremen's Agreement	31
Personnel	32
Functions	32
Policies	32
Marine and Dock Industrial Relations Division	33
Seamen's Agreement	34

	PAGE
Shipbuilding Labor Adjustment Board of the Emergency Fleet Corporation	35
Creation	35
Personnel	35
Function	36
Application, Enforcement and Appeal	37
Industrial Relations Division of the Emergency Fleet Cor- poration	38
Industrial Service Section	38
Health and Sanitation Section	38
Education and Training Section	39
Labor Administration Section	39
Safety Engineering Section	39
UNITED STATES RAILROAD ADMINISTRATION	40
Division of Labor	40
Personnel	40
Purpose and Function	40
Railroad Wage Commission	41
Creation	41
Board of Railroad Wages and Working Conditions	42
Purpose, Function and Personnel	42
Board of Adjustment No. 1	43
Board of Adjustment No. 2	44
<i>Creation</i>	44
<i>Personnel</i>	44
<i>Purpose and Function</i>	44
Railroad Board of Adjustment No. 3	44
Women's Service Section	45
UNITED STATES FUEL ADMINISTRATION	46
Bureau of Labor	46
Creation	46
Policies	46
A Message to Mine Workers	47
Mine Committees	48
UNITED STATES FOOD ADMINISTRATION	49
Bureau of Labor	49

DEPARTMENT OF LABOR *

Secretary of Labor: W. B. Wilson

Assistant Secretary of Labor: Louis F. Post

THE Department of Labor, which formed the nucleus and the more permanent portion of the War Labor Administration, had been in existence since 1913, at which time the former Department of Commerce and Labor was resolved into two separate departments, each carrying a cabinet membership. Previous to the war the only Government agencies for dealing with labor problems and with industrial disputes were the various bureaus of this department. The bureaus at that time were four in number, namely, Bureau of Labor Statistics, Bureau of Immigration, Bureau of Naturalization and the Children's Bureau. To these were added a Division of Conciliation and Mediation, carrying out the powers which were vested in the Secretary under the act creating the Department.

The Department expanded rapidly during the war and many new divisions were brought into existence to meet the needs of the war emergency and the growing demand for industrial efficiency.

Labor Administrator:

In addition to mere increase in the number of bureaus, the Department took on a new importance in that Secretary of Labor Wilson was appointed by the President to act as War Labor Administrator, a power which he subsequently exercised in large measure through Mr. Frankfurter, the Chairman of the War Labor Policies Board. Thus Mr. Wilson combined in himself a dual authority. He acted in his normal capacity as Secretary of Labor and also exercised extraordinary prerogatives as director of emergency policies. Similarly, it must be remembered that the important divisions of the Department of Labor in addition to carrying on their normal work also served as units in the War Labor Administration.

* The following outline shows the composition and indicates briefly the type of work carried out by the divisions of the Department. The first four divisions were in existence prior to our entry into the war; the remainder were reorganized or created since January 1, 1918. The future status of the new divisions is still undetermined.

Labor Cabinet

The co-ordination of the work of the various divisions and bureaus of the Department of Labor as parts of this War Labor Administration were carried out through weekly meetings of their heads in a so-called Labor Cabinet.

Bureau of Labor Statistics *:

Royal C. Meeker, Commissioner.

Its function is to acquire and diffuse useful information on subjects connected with labor's relations with capital, hours of work, wages and earnings, prices of food and commodities. It reports its investigations through a publication *The Monthly Labor Review* (formerly called the *Monthly Review of the Bureau of Labor Statistics*) as well as through a series of bulletins.

Bureau of Immigration:

Anthony Caminetti, Commissioner General.

This Bureau is charged with the administration of laws relating to immigration and the Chinese exclusion law. It investigates violations of the alien contracts law. Since the war it has had charge of detention camps for alien enemies. A Division of Information of this Bureau has been engaged in gathering information with regard to opportunities for employment of immigrants, a work now cared for by the Employment Service.

Bureau of Naturalization:

Richard K. Campbell, Commissioner.

This Bureau supervises work in connection with applications for naturalization submitted to the designated courts in the states and territories. It co-operates with public schools in disseminating information concerning citizenship and civics.

Children's Bureau:

Miss Julia C. Lathrop, Chief.

This Bureau is authorized to investigate and report upon all matters pertaining to children and child life. Much of its activity

* This Bureau no longer investigates and awards compensation for injuries to federal employees, a work which it carried on prior to the creation of the United States Employees' Compensation Commission on September 7, 1916.

has been devoted to the protection of children in industry. It was charged with enforcing the provisions of the Federal Child Labor Law which became effective on September 1, 1917. When this law was declared unconstitutional by the Supreme Court on June 3, 1918, the War Labor Policies Board directed that safeguards practically identical with the provisions of the law be adhered to in all Government controlled industries and that these provisions be written into all Government contracts. The Children's Bureau was declared the instrument for their enforcement.

Labor Adjustment Service:

Hugh L. Kerwin, Director.

This Service was organized to carry on the work of mediation and conciliation formerly conducted by the Division of Conciliation in the Department of Labor. It was never operated where the work of conciliation was already provided for through some special body as, for example, the Shipbuilding Labor Adjustment Board in the shipbuilding industry, or the Industrial Service Section of the Ordnance Bureau in munition plants, or the Railway Adjustment Commission. The functions of the National War Labor Board should not be confused with those of this Service. The former was primarily a court of appeals to decide questions at issue between employers and employees where adjustments had not been reached through the machinery of existing agreements or law. Thus the case of the Philadelphia street railway strike was referred to and settled by the National War Labor Board after the conciliators from the Department of Labor had failed to establish an agreement. The Service had little or no power for enforcing its decisions. The act creating the Department of Labor says, "The Secretary of Labor shall have power to act as mediator and to appoint commissioners of conciliation in labor disputes whenever in his judgment the interests of industrial peace may require it to be done." In carrying out this power the Department neither dictated nor arbitrated — it negotiated and recommended.

Employment Service:

John B. Densmore, Director-General.

The organization of this Service under the Secretary of Labor began on January 3, 1918, and since underwent a rapid develop-

ment. It completely incorporated in itself the employment information service formerly conducted under the Bureau of Immigration. The most recent plan adopted by the Employment Service for effective recruiting and placement of labor included the organization of State advisory boards, community labor boards, and State organization committees, each composed of representatives of employers and workers, and of the United States Employment Service. The purpose was to give to employers and employees in each State and community a voice in the operation of the labor recruiting and distributing machinery of the Government and also to afford the Employment Service the full benefit of the knowledge and experience of local leaders. In effecting the establishment of local agencies and in carrying out its work this Service cooperated with the Post Office Department and the Departments of Agriculture, Interior and Commerce; with State and city organizations for the welfare of workers including employment bureaus, and with semi-official and unofficial agencies such as the National Farm Labor Exchange and the National Chamber of Commerce. The Service disseminated information through the weekly *United States Employment Service Bulletin*.

The Employment Service rapidly became an effective part of the War Labor Administration. President Wilson by executive order directed that after August 1, 1918, all unskilled male labor for plants employing more than 100 should be recruited solely through this Service. It was announced that as the Service grew this policy would be extended to skilled as well as unskilled labor and eventually to women as well as to men.

Information and Education Service:

Roger W. Babson, Director.

This Service was established to develop, particularly among working men, sound public sentiment on labor questions and the real issues of the war. To this end it was in cooperation with the Committee on Public Information. It also aimed to secure exchange of information among Services of the Labor Administration and to promote in industrial plants local machinery helpful in carrying out the national labor program.

Training and Dilution Service:

Charles T. Clayton, Director.

This Service undertook to ascertain the best methods used in various plants and industrial establishments for training men for specific work; to ascertain the needs for such training; to provide information on this subject; and to promote such training wherever necessary or desirable. It also took up problems of dilution when need arose.

The Service included a division of civilian insignia by which war-industry badges were provided for industrial workers. These were to be awarded civilians employed for four consecutive months or more in essential war industries.

Working Conditions Service:

Grant Hamilton, Director.

Miss Florence Thorne, Assistant Director.

The function of this Service was to examine into and report on working conditions, including safety, sanitation, ventilation, etc. It was to determine standards which should be maintained in war industries and to adopt and explain rules embodying such standards. It acted in close cooperation with such agencies as the United States Public Health Service of the Treasury Department and the Bureau of Standards of the Department of Commerce.

Investigation and Inspection Service:

Ethelbert Stewart, Director.

This Service was organized in July, 1918. Its purpose was to make inspections and investigations on request from other divisions of the Department of Labor, and from other Federal departments. This Service kept in close touch with the investigative work undertaken by the Bureau of Labor Statistics so that they might mutually supplement one another and prevent duplication of effort.

Bureau of Industrial Housing and Transportation:

Otto M. Eidlitz, Director.

This Bureau conducted its work through the United States Housing Corporation of the Department of Labor. The Corporation directed the expenditure of \$100,000,000 appropriated by Congress for the housing of war workers, as well as of

the \$60,000,000 expended for this purpose by the United States Shipping Board. The function of the Bureau was to arrange for housing labor employed on army and navy contracts by bringing into use all available dwellings, by opening up suburbs through the improvement of transportation facilities, and by constructing new dwellings, permanent or temporary, where others were not available.

Woman in Industry Service:

Miss Mary Van Kleeck, Director.

Miss Mary Anderson, Assistant Director.

Industrial problems involving women were dealt with by Miss Van Kleeck, by virtue of her seat on the War Labor Policies Board and as director of the Woman in Industry Service. The immediate task of this Service was to develop in the industries of the country policies and methods which would result in the most effective use of women's services in production for the war, while at the same time preventing their employment under injurious conditions. The Service considered general policies with respect to women in industry and advised the Secretary of Labor as to the policies which should be pursued. It kept in touch with the work of the other divisions of the Department in so far as they related to women, and also with the women's departments of other governmental labor agencies such as the Women's Branch of the Industrial Service Section of Army Ordnance and the Women's Service Section of the United States Railroad Administration.

The Government's attitude toward the employment of women in war industries as adopted by the War Labor Policies Board is briefly summarized as:

Policies: The shortage of labor in essential war industries should be met in part by further introducing women into occupations easily filled by them, such as clerical, cashier and accounting services. They should not be employed to replace men in occupations clearly unfit owing to physical or moral conditions, such as barrooms and poolrooms. Nor should girls under 21 years be employed in occupations for which their youth unfits them, such as public messenger service, as bell boys, etc.

The introduction of women into industries involving special haz-

ards such as the use of industrial poisons, should be guided by standards set up by the War Labor Policies Board, whose regulations should also be carefully followed in regard to hours, night work, etc., in such new occupations as street railway service, messenger service, etc.

The recruiting of mothers of young children for war industries should be discouraged, and women should not replace men in industries where no lack of man power exists.

Employers are advised to take counsel with the Woman in Industry Service as to the best methods of introducing women in war industries.

War Labor Policies Board:

**Felix Frankfurter, Assistant to the Secretary,
Chairman**

While created as a division of the Department of Labor, with a seat in the Labor Cabinet, this Board had virtually become the legislative body of the National War Labor Administration and may thus be treated independently.

Creation:

Up to the beginning of 1918, the Government's efforts to deal with labor problems as they affected war production had consisted in the establishment of a number of boards and industrial services, each with a separate and more or less restricted jurisdiction. The various production departments of the Government, including the War Department, the Navy Department, the Shipping board, etc., had organized industrial services for the purpose of studying conditions affecting labor with a view to exercising control over hours, wages, and welfare of those doing war work in Government plants and private establishments. Each department handled its own labor matters with reference to its own requirements. To coordinate and centralize the activities of these agencies, the President created a War Labor Administration and named Secretary of Labor Wilson as labor administrator. Secretary Wilson subsequently created the War Labor Policies Board to deal with this work.

Jurisdiction and Function:

It was the purpose of this Board to consider and to formulate

labor policies affecting the production of war industries, both those directly under Government control and those indirectly controlled through the contract-letting power, etc. It determined and developed policies designed to unify the national labor administration and coordinated the various and frequently conflicting methods of the governmental departments dealing with labor problems involved in production. Its work was thus distinctly marked off from that of the National War Labor Board. The National War Labor Board was a court of appeal where principles of the Labor Administration were involved in dispute. Its decisions were final and binding as the result of an agreement entered into by employers and labor organizations. The Policies Board, assisted by advisors chosen by labor and employers, aimed to avert disputes by the establishment of standards and policies on a national scale through conference and advance agreements.

Personnel and Organization :

The following constituted the members and special advisors of the War Labor Policies Board :

Department of Labor —

FELIX FRANKFURTER, CHAIRMAN.
MISS MARY VAN KLEECK, DIRECTOR OF WOMAN IN INDUSTRY SERVICE.
MISS GRACE ABBOTT, RESEARCH CONSULTANT.

War Department —

E. M. HOPKINS, ASSISTANT TO THE SECRETARY OF WAR.
STANLEY KING, SECRETARY TO THE SECRETARY OF WAR.

Navy Department —

F. D. ROOSEVELT, ASSISTANT SECRETARY OF THE NAVY.
L. McHOWE.

Department of Agriculture —

G. I. CHRISTIE, ASSISTANT SECRETARY OF AGRICULTURE.

War Industries Board —

HUGH FRAYNE, GENERAL ORGANIZER, AMERICAN FEDERATION OF LABOR,
NEW YORK CITY.

Fuel Administration —

JOHN P. WHITE, EX-PRESIDENT OF THE UNITED MINE WORKERS OF
AMERICA.

Shipping Board —

ROBERT P. BASS, EX-GOVERNOR OF NEW HAMPSHIRE.

Emergency Fleet Corporation —

HOWARD COONLEY.
CHARLES PIEZ

Food Administration —

M. B. HAMMOND, PROFESSOR OF ECONOMICS AND SOCIOLOGY, OHIO STATE UNIVERSITY.

Railroad Administration —

W. I. TYLER, ASSISTANT DIRECTOR, DIVISION OF OPERATIONS.

Executive Secretary —

GEORGE L. BELL, MANAGER FOR THE HARVESTER CO., SAN FRANCISCO.

Industrial Advisor —

HERBERT F. PERKINS, CHICAGO.

Assistant to Chairman —

MAX LOWENTHAL, ATTORNEY-AT-LAW.

Advisor on Statistics —

F. W. LAMSON.

Labor Advisor —

JOHN R. ALPINE, VICE-PRESIDENT, AMERICAN FEDERATION OF LABOR.

Economic Advisor —

L. C. MARSHALL, DEAN, UNIVERSITY OF CHICAGO.

Committee on Public Information —

W. L. CHENERY, CHICAGO.

Policies:

One of the early and important acts of the Board was the adoption of the principles and policies of the National War Labor Board as its own guiding principles and policies.

Machinery for Application and Enforcement:

The policies adopted by the Board were applied through the various Federal organizations represented on the Board. Enforcement of the Board's decisions were thus effected through incorporation in Government contracts and through power of assignment of materials vested in the Priorities Committee of the War Industries Board. Moreover, the Federal Employment Service was guided by this Priorities Committee in the distribution of labor. In this connection it should be noted that Mr. Frankfurter as chairman of the War Labor Policies Board had a seat on the War Industries Board.

War Labor Conference Board

Creation:

In January, 1918, Secretary Wilson on the nomination of the president of the American Federation of Labor and of an organ-

ization of employers, the National Industrial Conference Board, appointed a War Labor Conference Board.

Personnel:

The three interests involved, employers, labor and the public, were represented as follows:

Hon. William H. Taft	} Joint Chairmen representing the Public.
Hon Frank P. Walsh	

Representing the Employers:

1. LOYALL A. OSBORNE.
2. W. H. VAN DERVOORT.
3. C. E. MICHAEL.
4. L. F. LOREE.
5. B. W. WORDEN.

Representing Labor:

1. FRANK J. HAYES.
2. W. L. HUTCHESON.
3. THOMAS J. SAVAGE.
4. VICTOR A. OLANDER.
5. T. A. RICKERT.

Function:

The Board was intended to provide a means of labor adjustment suitable to the national emergency and acceptable both to employers and employees. In March, 1918, the Board submitted a report urging the creation for the period of the war of a national war labor board to handle all disputes arising from labor conditions affecting production in war industries. The text of the report includes a statement of principles which should control such a war labor board. This declaration of principles of the National War Labor Board is given on a later page.

The Conference Board as such then automatically passed out of existence, although practically its full membership was continued in its successor the National War Labor Board.

NATIONAL WAR LABOR BOARD

Creation:

The Board was created by presidential proclamation on April 8, 1918, in accord with recommendations of the War Labor Conference Board. In his proclamation President Wilson directed that "the National Board shall refuse to take cognizance of a controversy . . . in any field of industrial or other activity where there is by agreement or Federal law a means of settlement which has not been invoked;" that "the principles to be observed and the methods to be followed . . . shall be those specified in the said report of the War Labor Conference Board."

Personnel:

The War Labor Board was largely made up of the same men who composed the Conference Board. In the interests of dispatch each member was allowed to appoint an alternate whose duty it was to sit when the principal was absent. Alternates were assigned to cases just as were the principals and their recommendations had the same weight with the Board. The following was the complete membership of the Board:

WILLIAM HOWARD TAFT, JOINT-CHAIRMAN.

FREDERICK N. JUDSON, ALTERNATE AND VICE-JOINT-CHAIRMAN.

FRANK P. WALSH, JOINT-CHAIRMAN.

WILLIAM HARMAN BLACK, ALTERNATE AND VICE-JOINT-CHAIRMAN.

Representing Employers:

LOYALL A. OSBORNE, Vice-President Westinghouse Electric and Manufacturing Company.

Alternate not yet chosen.

C. E. MICHAEL, President of the Virginia Bridge and Iron Company.

J. W. MARSH, President of the Standard Underground Cable Company, alternate.

W. H. VAN DERVOORT, President of the Root and Van Dervoort Engineering Company.

H. H. RICE, Vice-President of General Motors Company, alternate.

B. L. WORDEN, President Lackawanna Bridge Company, and General Manager, Submarine Boat Corporation.

C. A. CROCKER, President, Crocker-McElwain Company, alternate.

FREDERICK C. HOOD, President Hood Rubber Company.

JOHN F. PERKINS, Vice-President of the Calumet and Hecla Mining Company, alternate.

Representing Workers:

FRANK J. HAYES, President United Mine Workers of America.

ADAM WILKINSON, member Executive Board, U.M.W. of A., alternate.

W. L. HUTCHESON, President Brotherhood of Carpenters and Joiners.

T. M. GUERIN, member Executive Board, Brotherhood of Carpenters and Joiners, alternate.

* THOMAS J. SAVAGE, member Executive Board International Association of Machinists.

WILLIAM H. JOHNSTON, President International Association of Machinists, alternate.

VICTOR A. OLANDER, Vice-President International Seamen's Union.

MATTHEW WOLL, President International Photo-Engravers Union of North America, alternate.

T. A. RICKERT, President United Garment Workers Union.

JOHN J. MANNING, member Executive Board, United Garment Workers, alternate.

* Mr. Savage has recently died. His successor has not yet been appointed.

Principles and Policies:

TO GOVERN RELATIONS BETWEEN WORKERS AND EMPLOYERS IN WAR INDUSTRIES FOR THE DURATION OF THE WAR.

Declarations of Principles

Submitted by War Labor Conference Board, signed by all members of War Labor Board, and endorsed by Presidential proclamation April 8, 1918.

There should be no strikes or lockouts during the war.

Right to Organize.

The right of workers to organize in trade-unions and to bargain collectively through chosen representatives is recognized and affirmed. This right shall not be denied, abridged, or interfered with by the employers in any manner whatsoever.

The right of employers to organize in associations or groups and to bargain collectively through chosen representatives is recognized and affirmed. This right shall not be denied, abridged, or interfered with by the workers in any manner whatsoever.

Employers should not discharge workers for membership in trade-unions, nor for legitimate trade-union activities.

The workers, in the exercise of their right to organize, should not use coercive measures of any kind to induce persons to join their organizations nor to induce employers to bargain or deal therewith.

Existing Conditions

In establishments where the union shop exists the same shall continue, and the union standards as to wages, hours of labor, and other conditions of employment shall be maintained.

In establishments where union and non-union men and women now work together and the employer meets only with employees or representatives engaged in said establishments, the continuance of such conditions shall not be deemed a grievance. This declaration, however, is not intended in any manner to deny the right or discourage

the practice of the formation of labor unions or the joining of the same by the workers in said establishments, as guaranteed in the preceding section, nor to prevent the War Labor Board from urging or any umpire from granting, under the machinery herein provided, improvement of their situation in the matter of wages, hours of labor, or other conditions as shall be found desirable from time to time.

Established safeguards and regulations for the protection of the health and safety of workers shall not be relaxed.

Women in Industry

If it shall become necessary to employ women on work ordinarily performed by men, they must be allowed equal pay for equal work and must not be allotted tasks disproportionate to their strength.

Hours of Labor

The basic eight-hour day is recognized as applying in all cases in which existing law requires it. In all other cases the question of hours of labor shall be settled with due regard to governmental necessities and the welfare, health, and proper comfort of the workers.

Maximum Production

The maximum production of all war industries should be maintained, and methods of work and operation on the part of employers or workers which operate to delay or limit production, or which have a tendency to artificially increase the cost thereof, should be discouraged.

Mobilization of Labor

For the purpose of mobilizing the labor supply with a view to its rapid and effective distribution, a permanent list of the numbers of skilled and other workers available in different parts of the country shall be kept on file by the Department of Labor, the information to be constantly furnished:

1. By the trade-unions.
2. By State employment bureaus and Federal agencies of like character.
3. By the managers and operators of industrial establishments throughout the country.

These agencies shall be given opportunity to aid in the distribution of labor as necessity demands.

Custom of Localities

In fixing wages, hours, and conditions of labor, regard should always be had to the labor standards, wage scales, and other conditions prevailing in the localities affected.

The Living Wage

1. The right of all workers, including common laborers, to a living wage is hereby declared.
2. In fixing wages, minimum rates of pay shall be established which will insure the subsistence of the worker and his family in health and reasonable comfort.

Purpose and Function:

The War Labor Board, commonly known as the "Taft-Walsh Board," acted as a supreme court of industry, only to be invoked when other agencies failed. Its purpose was judicial, but it was at the same time legislative and through its machinery for enforcing awards it also possessed administrative functions. The Taft-Walsh Board heard appeals when the principles established by the proclamation of April 8, creating it, had been violated, or to determine questions of jurisdiction as between Government boards, or when one of its own awards had not been put into effect. It re-opened an award only after its provisions had been put into effect. An appeal against enforcement of any one of such provisions might then be filed. While the Board might have been termed a Court of Industrial Equity, its proceedings were entirely informal, and unrestrained by technical rules of evidence.

Any group of persons in interest might bring an issue between employer and employee before the National War Labor Board. When both parties to the controversy desired to submit to the Board they needed only to prepare a short joint statement of the issue,

signed by all parties in interest, for delivery to Mr. W. Jett Lauck, Secretary of the Board. Blank forms of complaint might be obtained from Mr. Lauck on request. The Secretary of Labor might invoke its authority and the Secretary of War and other Cabinet members might assign disputes arising under the Industrial Service Sections of their respective departments.

Staff:

Examiners were an important part of the staff of the War Labor Board. Under this name a corps of industrially trained men and women had been built up, whose business it was, first, to take testimony and sift evidence in a case and, second, to interpret and apply awards after they had been made. These examiners were neutral as between employer and employee and reported directly to the Secretary, Mr. W. Jett Lauck. Miss Marie L. Obernauer acted as chief of women examiners.

Field agents, chosen respectively by the employers and wage-working representatives on the War Labor Board, acted as special counsel to either party in dispute. They prepared evidence and submitted briefs in behalf of the disputants. These agents included a group of women investigators, under Miss Elisabeth Crisman, chosen by the labor side of the Board, who gathered facts in regard to women workers where such facts would enter into a decision.

Sections:

Sections of the Board consisting of two members were appointed for either side, who acted in local or preliminary controversies. Each was assisted by one or more field representatives. If the Sections were unable to come to a joint decision or to make an acceptable adjustment of the grievance, they referred it to the full Board with recommendations. All awards of the Taft-Walsh Board were made by unanimous vote.

Umpires:

If the Board found that it could not reach a unanimous decision, an umpire might be chosen either unanimously for final adjudication, or where such unanimous choice was not possible, by lot from a list of ten men nominated by the President. The names of these ten umpires were: Henry Ford, Matthew Hale, James R. Covington,

C. G. McChord, V. Everit Macy, Julian W. Mack, Henry Suzallo, John Lind, William R. Wilcox and Walter Clark.

Application and Enforcement of Awards:

Machinery for application of awards was provided through the examiners. Also, when deemed advisable, local boards were established, made up equally of representatives of workers and employers, who were charged with carrying out the provisions of the Board's decision. This was done in the case of the Machinists, Electrical Workers, et al., versus Bethlehem Steel Company, Bethlehem, Pa., in the case of the Employees versus Employers in Munition and Related Trades, Bridgeport, Conn., and in the case of the Employees versus Manufacturers of Newsprint Paper. In few cases did either contestant refuse to accept an award of the Taft-Walsh Board. When this occurred, as in the Western Union and the Smith and Wesson cases, by executive order from President Wilson the Government commandeered the management of the company; when the workers were recalcitrant, as in the case of Bridgeport, they were ordered to cease all strikes and go back to work under penalty of loss of industrial exemptions and loss of employment for one year through the United States Employment Service.

Important Awards:

The War Labor Board, through a series of decisions applying the provisions set forth in its declaration of principles, laid the foundation for a nation-wide code of industrial equity. The more important awards, in addition in almost every instance to raising wages, have given specific definition to the following principles of the Board:

Minimum wage and basic eight-hour day:

Worthington Pump and Machine Company

The Frick and other companies of Waynesboro, Pa.

Employees v. St. Joseph Lead Company

Shop committees:

Employees v. General Electric Company (Pittsfield, Schenectady)

Employees of Bridgeport

Employees v. Bethlehem Steel Company

Discrimination against trade-unions by means of "restrictive per-

sonal contracts " or, individual as against collective bargaining forbidden:

Employees v. Smith and Wesson Company

Employees v. General Electric Company

Employees v. Bethlehem Steel Company

Industrial councils established:

Employees v. Manufacturers of Newsprint Paper

Employees v. Bridgeport Manufacturers

The straight eight-hour day as distinguished from a basic eight-hour day:

Moulders v. Wheeling Mould and Foundry Company

WAR DEPARTMENT

THE War Department's three industrial sections of Ordnance, Quartermaster's and Aircraft Production functioned through Dr. E. M. Hopkins, Assistant to the Secretary of War, who was placed in charge of all labor problems relating to the production of war materials. Cooperation with the War Labor Policies Board was effected by the inclusion on the Policies Board of Dr. Hopkins and Mr. Stanley King, Secretary to the Secretary of War, and through:

General Orders No. 58, dated June 22, 1918.

These orders provided that in production of war materials "no changes in hours of labor, rates of pay, rates and hours of overtime, shall hereafter be made upon the authority of or by direction of, or with the approval of any Bureau of the War Department, except by written recommendation to one of the representatives of this Department on the Labor Policies Board, approved in writing by such representative."

Ordnance Bureau: Production Division

Industrial Service Section:

Major B. H. Gitchell, Chief.

Creation:

This Section was created by order of the Chief of Ordnance.

Purpose and Function:

The Section was created to deal with all problems relating to the production of Ordnance material, including those arising in Government arsenals. Its main divisions were Procurement, Stabilization, and Stimulation. The function of the Section was to maintain a service which would advise with Ordnance contractors in the handling of labor problems which were a factor in the production of Ordnance supplies. The country was divided into eleven districts, in each of which local machinery under the three main divisions was established. These district officials reported directly to their chiefs in Washington.

Policies:

The policies of the Section were determined in cooperation with the War Labor Policies Board. Standards endorsed by both Ordnance and Quartermaster's Bureaus were promulgated in:

General Orders No. 13:

These general orders were issued by the Chief of Ordnance in November, 1917, and adopted by the Quartermaster General soon thereafter. They were among the first governmental pronouncements on standards for workers on war supplies. They were issued as " suggestions " and were not mandatory; they provided no machinery for their own enforcement; their value lies in the fact that they pointed the way for later regulations, and that they embodied an enlightened public policy. The point of view of these " Suggestions to Arsenal Commanders and Manufacturers " is defined by the following excerpt:

" In view of the urgent necessity for a prompt increase in the volume of production of practically every article required for the conduct of the war, vigilance is demanded of all those in any way associated with industry lest the safeguards with which the people of this country have sought to protect labor should be unwisely and unnecessarily broken down. It is a fair assumption that for the most part these safeguards are the mechanisms of efficiency. Industrial history proves that reasonable hours, fair working conditions, and a proper wage scale are essential to high production."

These orders dealt with hours of labor, standards in workrooms, wages, negotiations between employers and employees, and the employment of women and minors. They were thus summarized:*

" Ten hours is declared to be the maximum which should be required for an adult workman, while it is pointed out that ' the drift in the industrial world is toward an eight-hour day as an efficiency measure.' For women it is declared that ' existing legal standards should be rigidly maintained, and even where the law permits a nine or ten-hour day, effort should be made to restrict the work of women to eight hours to enable them to bear the increased burden brought

* Article by Mary Van Kleeck, former Director of Women's Branch, Industrial Service Section of the Ordnance Bureau.

by new tasks and by greater speed in their accustomed occupations.' The employment of women on night shifts should be avoided, rest periods and adequate time for meals should be allowed, and the Saturday half-holiday assured. For men in continuous industries it is declared that eight hours per shift should be the maximum.

"As to wages, it is stated that 'standards already established in an industry and in the locality should not be lowered,' and the prices of necessities of life should be taken into consideration. 'Changes to meet changed prices should not, however, be made with too great rapidity, and all wage adjustments should be based on considerations which suggest at least relative permanency.'

"Other phases of industrial conditions are dealt with in the same detailed way, and the following paragraph defines the relations between employers and employees:

" 'The need of preserving and creating methods of joint negotiations between employers and groups of employees is especially great in the light of the critical points of controversy which may arise in a time like the present. Existing channels should be preserved and new ones opened, if required, to provide easier access for discussion between an employer and his employees over controversial points.' "

Women's Branch:

Mrs. Clara M. Tead, Director.

This Branch supervised the work of women in Government arsenals, controlled plants and in those at work on Ordnance contracts. Its interests so penetrated those of each of the other sub-sections of the Industrial Service Section that it is impossible to treat of them separately. No regulations for training and education of workers, for labor dilution, for wages, hours and housing or sanitation could be made effective without the cooperation of the Women's Branch, which in turn was closely allied with the Woman in Industry Service of the Department of Labor.

Application and Enforcement:

Application and enforcement of standards as expressed in General Orders No. 13 and those formulated by the War Labor Policies Board were not difficult in private firms where the plant was operated on a cost plus profit basis. In Government arsenals standards were fixed through executive orders issued by the Chief of Ordnance.

Industrial disputes arising in any local district were adjusted through the Section's local adjustment machinery. If an agreement was not possible the dispute went to the War Labor Board which had ample machinery both for making and enforcing awards.

Quartermaster's Bureau:

Industrial Relations Branch:

John McLane, Director.

This Branch was organized on lines similar to those followed in the Industrial Service Section of the Army Ordnance Bureau. It was responsible for the settlement of disputes and for conditions affecting labor in all plants carrying Quartermaster's contracts, with the exception of those arising in the needle trades.

Board for Control of Labor Standards in Army Clothing:

This Board was appointed August 24, 1917, by the Secretary of War. It presented a memorandum outlining conditions under which army uniforms should be produced, which was accepted by the Secretary. The Board was dissolved on January 23, 1918, and the administration of labor standards was placed under the Quartermaster General with Professor Ripley in charge. Professor Ripley was charged with the prevention of delays in delivery of army clothing due to labor difficulties. He was authorized to establish standards of wages, hours, fire hazards, sanitary and other conditions, and to enforce them through a Federal inspection service.

Harness and Saddlery Adjustment Commission:

Major Samuel J. Rosensohn, Chairman

Creation:

This Commission, appointed on September 26, 1917, operated under an agreement of that date signed by contractors and W. E. Bryan, President of the United Leather Workers' International Union. It was one of the first instruments upon which the Government, manufacturers and employees were all represented.

Personnel:

SAMUEL J. ROSENSOHN, Major, J. A. G., Chairman.

HENRY DIEGEL, Representative of the Manufacturers in the Harness and Saddlery Industry.

WILLIAM E. BRYAN, President of the United Leather Workers' International Union.

The agreement originally provided for four members of whom two should be appointed by the Secretary of War. This was changed as shown above.

The agreement under which the Commission operated reads as follows:

Purpose and Function:

1. There shall be created a national Harness and Saddlery Adjustment Commission hereinafter referred to as "the commission," composed of four members of which two members shall be appointed by the Secretary of War to represent the public; one member by the manufacturers signatory hereto, and one member by the United Leather Workers' International Union. One of the members of this commission appointed by the Secretary of War shall be designated by him as chairman. Each member including the chairman shall be entitled to one vote, and a majority vote shall govern in all cases.

2. The commission shall adjust all differences now existing or that may hereafter arise between the contractors and employes engaged in the production of articles under agreement to which the United States is a party, including wages, hours and conditions of labor. The commission may adopt rules, regulations and methods of procedure in order to carry this agreement into effect and all decisions or adjustments made by it shall be binding upon and complied with by the contractors signatory hereto, who have contracts with the United States, and also by the operatives, members of the United Leather Workers' International Union represented in the execution of this agreement by their president.

3. This agreement shall be in full force and effect for the duration of the present war.

4. The parties hereto severally agree that during the war there shall be no interruption of work upon which they are engaged in the carrying out of contracts to which the United States is a party.

5. In the event that any changes in wage scales are made or approved by the commission in carrying out its functions under this agreement, compensatory adjustments shall be made by the United States in accordance with the recommendations of the commission.

6. The scale of wages for operatives for work done under contracts to which the United States and the contractors signatory hereto are parties, shall in no case be less than is now in effect.

7. The contractors signatory hereto agree that non-union labor employed in carrying out work under a contract to which the United

States is a party shall receive the same rates of compensation as the members of the United Leather Workers' International Union.

September 26, 1917.

Manufacturers: signed by about 50.

Leather Workers:

W. E. BRYAN, general president, United Leather Workers' International Union, 504 Postal Bldg., Kansas City, Mo.

Application and Enforcement:

As a means to enforce this agreement a supplemental agreement was entered into on the letting of every contract between the United States Government, represented by Major Rosensohn, and the contractor or contractors, which provided:

"WHEREAS, the need in the present emergency for continuous and accelerated production of the above supplies demands that under no circumstances shall work be stopped;

"AND, WHEREAS, to secure the ends of the Government, it is important that the contractor agree (1) to aid the War Department in preventing any interruption of work, (2) to submit all labor disputes to the Secretary of War or his duly authorized representative for adjustment, (3) to confer upon the Secretary of War or such representative the power to fix the wages paid by the contractor to his workers, whether they be members of a labor union or not, (4) to abide by the determination thus made, and (5) to amend the contract by inserting such clauses therein.

"NOW, THEREFORE, It is hereby agreed that said contract dated be and the same hereby is amended as follows:

"1. The National Harness and Saddlery Adjustment Commission (hereinafter referred to as the Commission) composed of Samuel J. Rosensohn, Major, J. A. G., detailed to the Office of the Secretary of War, appointed by the Secretary of War as Chairman of the Commission; Henry Diegel, representative of the manufacturers in the harness and saddlery industry; and William E. Bryan, President of the United Leather Workers' International Union, shall adjust all differences now existing or that may hereafter arise between the contractors and employes engaged in the production of articles under agreement or agreements to which the United States is a party, including wages, hours, and conditions of labor. The Commission may adopt rules, regulations and methods of procedure in order to carry this agreement into effect, and all decisions or adjustments made by it shall be binding upon and complied with by the contractor signatory hereto.

Aircraft Production Board:

John D. Ryan, Director.

Industrial Relations Department:

Major B. H. Gitchell, Executive Officer.

Creation:

This Department was created by order of Mr. Ryan to take jurisdiction of all labor disputes arising from the production of army aircraft.

Personnel:

This Department was organized so short a time before the end of the war that its complete personnel was never finally determined. Major Gitchell acted as executive officer of this as well as of the Ordnance Bureau's Industrial Service Section; Mrs. Clara M. Tead headed the Women in Industry Branch in this as in the Ordnance Department. Other divisions were: Adjustment of Disputes, Relations with Other Bureaus, Relations with the War Labor Policies Board.

Under the head of Supply and Distribution of Labor the Bureau of Deferred Classification and Industrial Furloughs acted in close relation with the United States Employment Service. Production campaigns were being organized through shop committees, speakers and general publicity. The Bureau of Standardization of Wages, Hours and Conditions of Labor, included sub-committees on housing and transportation, which cooperated with the United States Labor Department's Bureau of that name.

The Aircraft Board districted the country into seven districts: Buffalo, Chicago, Dayton, Detroit, New York, Pittsburgh, and San Francisco. In each district representatives of the Industrial Relations Bureau were stationed.

Policies:

The policies of the Aircraft Board in regard to labor were determined in cooperation with the War Labor Policies Board, on which it was represented by Dr. E. M. Hopkins and Mr. Stanley King.

Disputes arising under the jurisdiction of the Industrial Relations Bureau were referred to the War Labor Board when local representatives were unable to effect a satisfactory adjustment.

Application and Enforcement of Awards:

In such disputes the application and enforcement of awards were carried out through the usual machinery of the War Labor Board provided for such matters.

Cantonment Adjustment Commission:

Creation:

On June 19, 1917, Secretary of War Baker and Mr. Samuel Gompers, President of the American Federation of Labor, signed the following brief but important document.

“For the adjustment and control of wages, hours and conditions of labor in the construction of cantonments, there shall be created an adjustment commission of three persons, appointed by the Secretary of War; one to represent the Army, one the public, and one labor; the last to be nominated by Samuel Gompers, member of the Advisory Commission of the Council of National Defense, and President of the American Federation of Labor.

“As basic standards with reference to each cantonment, such commission shall use the union scale of wages, hours and conditions * in force on June 1, 1917, in the locality where such cantonment is situated. Consideration shall be given to special circumstances, if any, arising after said date which may require particular advances in wages or changes in other standards. Adjustment of wages, hours or conditions made by such boards are to be treated as binding by all parties.”

This is the first instance in which the Government negotiated directly an agreement with organized labor. Up to this time the production divisions of the War Department had refused to recognize the existence of the trades-unions.

Personnel:

The Adjustment Commission thus provided for consisted of representatives of the Government, of the public and of organized labor.

Function and Principles:

The Commission was created to provide “for the adjustment and control of wages, hours and conditions of labor in the construction of cantonments.” It set up the machinery and established the principles under which work on the great national cantonments was com-

* “Conditions” was later defined as referring to such matters as overtime, holiday work, etc., and not to the matter of union or non-union shop.

pleted virtually without interruption. The agreement is noteworthy in that it establishes the principle of collective bargaining in work under Government contracts, and in that it accepts the union scales of wages, hours and conditions as basic standards. It was the model for many subsequent agreements.

Extensions:

A supplementary agreement between Secretary Baker and Mr. Gompers was signed on July 27, 1917, which provided that the terms of the original agreement "be extended to embrace any other construction work which is now being, or may be from time to time during the war carried on by the War Department."

Such extension was invoked on August 8th in the case of the construction of aviation fields, and on September 4th in the case of warehouses and storage facilities.

Navy Construction:

On August 10, 1917, a memorandum was signed by the Secretary of the Navy and by Mr. Gompers, which provided for an extension of the principles of the original cantonment agreement to cover construction work on land undertaken by the Navy Department. The agreement further provided that a representative of the Navy Department should replace the representative of the Army on the Adjustment Commission whenever the latter sat on cases affecting Navy construction work.

Emergency Construction Adjustment Commission:

The work of adjustment originally falling under the jurisdiction of the Cantonment Adjustment Commission under the Baker-Gompers and Daniels-Gompers agreements was later administered by the so-called Emergency Construction Adjustment Commission.

Personnel:

The following was the composition of the Commission:

E. M. HOPKINS, CHAIRMAN FOR THE PUBLIC.

J. R. ALPINE, FOR LABOR.

AND EITHER

COL. J. H. ALEXANDER, FOR THE ARMY

OR

COMMANDER PARSONS, FOR THE NAVY.

Jurisdiction and Function:

Were as indicated in the above named agreements.

NAVY DEPARTMENT

THE Navy Department never formally organized an industrial service section. Wages in navy-yards were determined from time to time through the office of the Assistant Secretary of the Navy, F. D. Roosevelt, who represented the Department on the War Labor Policies Board. Secretary Roosevelt signed both the original and the supplementary agreements which created the Shipbuilding Labor Adjustment Board of the Emergency Fleet Corporation, and appointed A. F. Berres as joint representative upon the Board of the Fleet Corporation and the Navy Department.

Under the Daniels-Gompers agreement of August 10, 1917, by which the jurisdiction of the Cantonment Adjustment Commission was extended to cover the work of Navy construction, hours, wages and conditions for all construction by private contractors for the Navy were determined by the Commission. This work was later taken over by the Emergency Construction Adjustment Commission, on which the interests of the Navy were represented by Commander Parsons. The various divisions of the Department of Labor, when so requested by the Navy Department, acted to investigate and adjust disputes. If they were unable to effect an adjustment, the matter was assigned either to the National War Labor Board or the Shipbuilding Labor Adjustment Board, whose decision was taken as final.

UNITED STATES SHIPPING BOARD and the EMERGENCY FLEET CORPORATION

THE United States Shipping Board and its adjunct, the Emergency Fleet Corporation, between them shared the responsibility for the formulation and execution of the shipping and shipbuilding program. The former was engaged in planning and operating the merchant marine; the latter in the actual construction of ships. Both the Shipping Board and the Fleet Corporation maintained agencies for dealing with industrial relations in their particular fields.

National Adjustment Commission:

Creation: The Longshoremen's Agreement:

The National Adjustment Commission for the adjustment and control of wages, hours and conditions of labor in the loading and unloading of vessels, which formed one of the chief adjusting agencies of the Shipping Board, was created by the so-called Longshoremen's Agreement. This Agreement (undated) was signed in the early part of August, 1917, by the following parties or their representatives: International Longshoremen's Association, American Federation of Labor, and principal shipping operators. The Agreement called for a National Adjustment Commission of the following composition: One member nominated by the Shipping Board; one nominated by the Secretary of War; one nominated by the International Longshoremen's Association; one nominated by the committee on shipping of the Council of National Defense, to represent the coastwise carriers and to act only in cases involving coastwise service; one nominated by the committee on shipping of the Council of National Defense to represent carriers engaged in foreign trade and to act only in cases involving foreign service. The Agreement also provided for the appointment in each important port of a local adjustment commission on which the same interests were to be represented and the representatives to be chosen in the same way as for the national board, except that the Shipping Board and the War Department were to be represented in a single person.

Personnel:

The coastwise and deep-sea shipping interests were each represented by one of a list of six persons replacing the original single representatives. The following was the composition of the Commission:

ROBERT P. BASS,
United States Shipping Board, Chairman.
STANLEY KING,
War Department.
T. V. O'CONNOR,
International Longshoremen's Association.

and either:

Coastwise shipping:

E. A. KELLY
E. E. PALEN
JOHN CROWLEY
W. P. CORIA
J. H. W. STEELE
CAPTAIN W. M. TUPPER

OR

Deep-sea shipping:

J. H. ROSSITER
H. C. BLACKISTON
M. J. SANDERS
E. J. BARBER
RICHARD R. FREEMAN
G. S. DEARBORN

Functions:

The purpose of the National Adjustment Commission was declared to be the adjustment and control of wages, hours and conditions of labor in the loading and unloading of vessels on the Atlantic, Gulf and Pacific coasts. The quick dispatch of vessels is an essential war need and the National Adjustment Commission was designed to adjust such disputes and grievances as might arise during the war so that there should be no strikes on the part of employees or lockouts on the part of the employers. "It will be observed," says the Annual Report of the Commission, "that the Agreement was not ratified or adopted by the operatives or employees on the Great Lakes and therefore is not binding upon them."

Policies:

The Agreement adopted as basic standards with reference to each port the union scale of wages, hours and conditions in force on August 1, 1917. Consideration was provided for special circumstances arising after the acceptance of any particular scale, which might require advances in wages, or changes in other standards. In all cases work was to continue uninterrupted pending action of local commission or of the National Commission, and the adjustments of the Commission to be binding upon all parties. It was the policy of the Board to work as much as possible through local

commissions, cases to go to the National Commission for review only in the event of dissatisfaction by either party. In accordance with this plan thirteen local boards were established as occasion for them arose. Cases have been adjusted from Galveston to Portland, Maine, and from Honolulu to Boston.

The Commission dealt with a type of labor whose condition necessitates irregular hours and wages with marked periods of rush work and of unemployment. Efforts were made to establish regular hours and regular wages. In the award of October 3, 1918, "the basic working day of eight hours with Saturday half holiday is hereby established."

In addition to its original functions, the Commission took jurisdiction over questions relating to hours and conditions of labor on harbor craft and harbor marine equipment when referred by special agreement of the parties in interest. In such cases the personnel of local commissions was varied according to the interests represented.

Marine and Dock Industrial Relations Division:

On November 12, 1917, the United States Shipping Board named Mr. Robert P. Bass its special industrial expert to deal with labor problems. The Marine and Dock Industrial Relations Division, of which Mr. Bass was director, constituted the industrial service section of the Shipping Board. Mr. Bass was also the representative of the Shipping Board upon the War Labor Policies Board. Among the powers, functions and duties of the Marine and Dock Industrial Relations Divisions were the following:

To report to the Shipping Board, with recommendations, upon all labor matters.

To act for the Board as a coordinating agency in labor matters as they affect the departments of the Shipping Board and the other departments of the Government.

To have general supervision, subject to the direction of the Board, of all labor questions pertaining to the operations of vessels and marine equipment.

To endeavor to secure the peaceable adjustment of all labor difficulties involved in the operation of vessels.

To seek better industrial relations between employers and employees in the fields mentioned, and to secure their most effective cooperation with the Government in the vigorous prosecution of the war.

To advise with respect to the relations of marine and dock industrial man-power to military man-power of the United States.

Seamen's Agreement:

On May 8, 1917, the United States Shipping Board entered into an agreement by which it hoped to secure the cooperation of the seamen of the country through inducements to remain on the ships, to bring back others who had left their calling, and to attract those unfamiliar with the sea to seafaring service. At a conference on August 8, at which were present representatives of ship owners, seamen's unions, the Departments of Commerce and Labor, and the United States Shipping Board, this agreement was repeated in substance and ratified later by the organizations represented in the meeting.

The "Memorandum of Understanding," as it is called, reads as follows:

"The representatives of the steamship lines and of the organized seamen agreed with the Shipping Board that some action ought to be taken looking to an increase in the number of seamen in order to furnish men for the vessels trading to England and France carrying supplies and to yet continue an uninterrupted coastwise trade.

"To maintain this purpose the representatives of the shipping lines in cooperation with the Shipping Board and the organized seamen tentatively agreed to cooperate for the attainment of this end in the following manner:

"Substantially all the steamship lines will agree to pay the following wage: Sailors and firemen, \$60 per month; coal passers \$50 per month; oilers and water-tenders, \$65 per month; boatswains, \$70 per month; carpenters, \$75 per month; *overtime pay for cargo work 50 cents, for ship work, 40 cents per hour*. Bonus for going to the war zone 50 per cent of the wages, wages and bonus to continue until crew arrive back in the United States; \$100 compensation for loss of effects caused by war conditions. *The scale of wages and bonus for cooks and stewards at present in force be maintained and continued during the continuance of this agreement.*

"That a certain number of boys determined by the number of men carried are to be employed in addition to the usual crew, that a number of ordinary seamen will be employed in proportion to the able seamen carried, taking as an instance a vessel now carrying eight men on deck will carry six able seamen, two ordinary seamen and two boys, such boys and ordinary seamen to have ample opportunity to learn the work usually demanded of able seamen.

“ That the representatives of the organized seamen shall have access to and be permitted on docks and vessels during reasonable hours.

“ The representatives of the seamen tentatively agree to join with the shipowners in an appeal to seamen now employed on shore to come back to the sea.

“ That the bonus and other conditions arising from the war shall terminate with the war and that the wages set shall remain for one year to the end that wages be stabilized and that the men now on shore may be induced to return to the sea.

“ That the seamen will use earnest efforts in cooperation with the officers to teach seamanship to the boys and ordinary seamen.”

All disputes between seamen and shipowners were referred directly to the Shipbuilding Board, which dealt with the representatives of the Seamen's Union through its industrial expert, Robert P. Bass.

Shipbuilding Labor Adjustment Board of the Emergency Fleet Corporation:

Creation:

By agreement dated August 20, 1917, between the Navy Department, the Emergency Fleet Corporation, and the international presidents of the labor organizations whose members were employed in the shipbuilding industry, an adjustment board was created, made up of three members, one representing the public, appointed by the President of the United States, one representing the American Federation of Labor, appointed by President Gompers, and one representing the Emergency Fleet Corporation or the Navy Department, depending on which department had jurisdiction over the shipyard under consideration.

This agreement was superseded by another of December 18, 1917, to which the same departments and labor organizations were parties. The President of the Brotherhood of Carpenters did not become a party to the agreement but local carpenters' unions have always agreed to abide by the decisions of the Board, so in practice the organizations of wood workers have been treated exactly like the organizations of steel workers.

Personnel:

V. EVERIT MACY,
Chairman, Representing the Public.

L. C. MARSHALL,

Representing the Navy Department and the Emergency Fleet Corporation.

A. J. BERRES,

Representing the American Federation of Labor.

HENRY SEAGER,

Secretary.

Function :

The Shipbuilding Labor Adjustment Board was similar in plan and purpose to the Cantonment Adjustment Commission and the other boards organized by the Government to substitute for strikes and walkouts fair adjustment of wages and working conditions through an agency in which the workers themselves should be duly represented.

The Board began by fixing wages for several districts limited geographically, but in the decision issued October, 1918, these were combined into two, the Pacific Coast District, and the Atlantic Coast, Gulf and Great Lakes District. At the same time, the wages for practically all the skilled shipbuilding crafts were made uniform for the whole country.

The agreement of December 8, 1917, defines the function of the Board in the following paragraphs :

“The plants where such construction is being carried on shall be geographically districted by the Board. In each district the contractors in whose plants such construction is being carried on, and the representatives of such international labor organizations as having members engaged in such production or construction in such plants and as are selected for the purpose by the labor members of the Board, shall be called upon, under conditions to be laid down by it, to agree upon a person or persons who shall act under the direction of the Board as examiner or examiners in such district. If the Board deems it advisable itself to name an examiner or examiners, or if the representatives of the contractors and of the labor organization do not agree, then the Board shall by unanimous action select a person or persons for such position. The examiner shall be subject to removal by the Board at any time by majority vote. It shall be the duty of the district officer of the United States Shipping Board Emergency Fleet Corporation to report promptly to the Board and to the examiner of the district, if such examiner shall have been appointed, any dispute with reference to wages, hours, or conditions of labor which he is unable to adjust satisfactorily to the principals concerned.

“As basic standards where such construction is being carried on, the Board shall use the wage rate prevailing in the district in which such plant or plants are located, provided such wage rates have been established

through agreements between employer and employees and are admitted to be equitable. Consideration shall be given by the Board to any circumstances arising after such wages, hours, or conditions were established and which may seem to call for changes in wages, hours, or conditions. Where no such agreements exist and where, as in the case of new industrial districts, a proper basis of wages and conditions is difficult to determine, the Board shall have the right to put into effect the rates which were awarded after due investigation and determination in other districts in which living conditions and cost of living are substantially the same. The Board shall keep itself fully informed as to the relation between living costs in the several districts and their comparison between progressive periods of time. The decisions of the Board shall, under proper conditions, be retroactive, and it shall be the duty of the Board to make the decision effective. At any time after six months have elapsed following such ratified agreement or any such final decision by the adjustment board on any question as to wages, hours or conditions in any plant or district, such questions may be reopened by the Board for adjustment upon request of the majority of the craft or crafts at such plant affected by such agreement or decision, provided it can be shown that there has been a general and material increase in the cost of living. The decisions of the Board will, in so far as this memorandum may be capable of achieving such result, be final and binding on all parties."

Periodic readjustment of awards was thus provided for. Although the agreement of December 8 expressly states that the United States Navy Yards shall not be included within the province of the Board and that standards set by the Board shall not be considered as precedents for Government yards, yet it is a fact that in all navy yards the Board's awards have been made effective by executive order of the Secretary of the Navy.

Application, Enforcement and Appeal:

In every district local examiners were appointed to assist the Board in the adjustment of local disputes with power to act, only after reference to the Board. Local grievances were handled by complaints carried to the general shop committee for adjustment by the superintendent and if possible, to the higher officials of the company through a representative chosen by the shop committee. From this third conference appeal might be taken to the examiner appointed by the Board, who took all disputes which he could adjust directly to the Board. Either side had the right of appeal from any decision of the Board to a board of review composed of six mem-

bers, three members named jointly by the United States Shipping Board, Emergency Fleet Corporation and the United States Navy, and three members named by the President of the American Federation of Labor.

Industrial Relations Division of the Emergency Fleet Corporation:

Leon C. Marshall, Director.

The Emergency Fleet Corporation maintained a number of sections dealing with labor which were known in the organization as the Industrial Relations Division. It was the purpose of these sections to deal with the various labor problems as they affected the work of the Emergency Fleet Corporation. According to the director, the policies controlling the Industrial Relations Division were and could be only those of the nation as a whole. Therefore the Division accepted the principles and policies set forth in the report of the War Labor Board and the subsequent rulings and resolutions of the War Labor Policies Board. In this connection it may be noted that Mr. Charles Piez represented the Fleet Corporation on the War Labor Policies Board. The following were the various sections which constituted the Industrial Relations Division:

Industrial Service Section:

The functions of this Service were to cooperate with the United States Employment Service in finding men available for shipyard work and in seeing that they were placed in contact with yards and plants needing them; to show new shipyards how to employ men and to show the officials of these yards the desirability of giving each worker the job for which he was best adapted. The Section was also concerned with securing exemptions for skilled and irreplaceable workers. It registered all men who should have been exempted from military service on the ground of their skill in some particular work connected with shipbuilding.

Health and Sanitation Section:

Representatives of this Section kept in touch with the yards to see that the general conditions affecting the health of the workers were maintained. This Section had been necessitated by the overcrowded conditions in some of the shipping districts and by the

fact that many of the yards were located in marshy territory, which required special safeguards for the preservation of sanitary conditions.

Education and Training Section:

This Section had for its purpose the establishment of classes for the instruction of workers in the more technical branches of shipyard work. It aimed to meet the ever increasing demand for skilled workers and to train journeymen for experts and apprentices to replace the journeymen.

Labor Administration Section:

This Section cooperated with the Shipbuilding Labor Adjustment Board in bringing about an enforcement of its decisions in the shipyards, and in stabilizing employment by checking competitive bidding for men. It was also charged with the duty of listening to the claims of employer and employee and settling, or indicating how it was possible to settle, all the disputes that might arise between them.

Safety Engineering Section:

District safety engineers were appointed to carry on campaigns for accident prevention in all the yards.

UNITED STATES RAILROAD ADMINISTRATION

W. G. McAdoo, Director-General

Division of Labor:

W. S. Carter, Director.

Formerly President of Brotherhood of Locomotive Engineers and Firemen.

Personnel:

THE officers of this Bureau included the Director and two Assistant Directors — J. A. Franklin and G. W. W. Hanger. With them were associated representatives of the Department of Labor, the Interstate Commerce Commission and the Shipping Board — Mr. William Blackman, Mr. John A. Moffitt and Mr. A. M. Banks.

Purpose and Function:

Circular No. 3, dated August 30, 1918, signed by W. S. Carter, Director, Division of Labor, defines the functions and methods of his division in the following words:

“Requests by employees for increases in wages, in addition to increases provided for in wage orders, will be filed *only* with the Board of Railroad Wages and Working Conditions, to which Board has been assigned the duty of hearing, and investigating such matters, as provided in Article VII of General Order No. 27.

“When employees are represented by Railway Boards of Adjustment, the procedure as to all controversies within the scope of their duties will be as directed in general orders creating such Boards. The fact that certain employees are not represented by Railway Boards of Adjustment will in no manner deprive them of any of the benefits accruing from such Boards.

“Requests for adjustments in wages by employees *not* represented by Railway Boards of Adjustment, which requests are based upon existing practices or adjustments reached through former arbitrations and settlements, will be presented to the proper officials of the railroads, and negotiations will be conducted in the usual manner up to the chief operating officer, or officer designated by him. Should no agreement be reached, and it appear to be necessary to take the matter further, a joint statement of facts (in duplicate) will be prepared by the representatives of the employees concerned and the proper officials of the railroad, and submitted to

the Director of the Division of Labor of the United States Railroad Administration.

"Attached to such joint statement of facts will be such brief arguments by both parties to the controversy as is believed desirable by those concerned. When an adjustment is not then reached through correspondence, a Representative will be assigned to investigate, and if by his assistance no agreement is then reached, the matter in controversy will be referred again to the Director of the Division of Labor.

"Personal grievances or controversies arising under interpretation of wage agreements, and all other disputes arising between officials of a railroad and its employees *not* represented by Railway Boards of Adjustment, will be handled in the usual manner by the individual, his representative, or by committees of employees, up to and including the chief operating officer of the railroad, or officer designated by him, when, if an agreement is not reached, the chairman of the committee of employees and the officer of the railroad will refer the matter to the Director of the Division of Labor, in the same manner as provided in Paragraph (one preceding) of this circular.

"When an employee, or class of employees, is not represented by committees, and negotiations can not be conducted in the usual manner, matters of complaint will be taken up with the proper officials of the railroad. When such employee or employees desire to appeal to the Director General, a complete statement of the cause of complaint will be filed by such employee or employees with the Director of the Division of Labor. When an adjustment is not reached through correspondence, a Representative will be assigned to investigate, and if by his assistance no agreement is then reached, the matter in controversy will be referred again to the Director of the Division of Labor.

"Where working conditions are not agreed upon by Committees of employees and the officials of the railroads, a joint statement of the points at issue will be prepared and filed with the Director of the Division of Labor, attaching thereto such brief arguments as may be desired. When an adjustment is not then reached through correspondence a Representative will be assigned to investigate, and if by his assistance no agreement is then reached, the matter in controversy will be referred again to the Director of the Division of Labor."

Railroad Wage Commission:

Creation:

This Board was created by the Director-General by order of January 18, 1918, "to make a general investigation of the compensation of persons in the railroad service, the relation of railroad wages to wages in other industries, the conditions respecting wages in different parts of the country, the especial emergency respecting

wages which exists at this time owing to war conditions and high cost of living, as well as the relation between different classes of railroad labor.” Franklin K. Lane, Secretary of the Interior, C. G. McChord, J. Harry Covington, and W. R. Wilcox constituted the Commission.

The Wage Commission automatically passed out of existence after submitting a report on April 30, 1918, which fixed wage scales, defined their application and discussed the employment of women and children. It declared for equal pay for equal work for men and women and recommended a permanent tribunal to continue the study of railroad problems. The report was accepted by Mr. McAdoo on May 25, 1918, and in accord with its suggestions he appointed under General Order No. 27 such a permanent tribunal under the designation of:

Board of Railroad Wages and Working Conditions:

Purpose, Function and Personnel:

“ There is hereby appointed a board of railroad wages and working conditions which shall consist of the following members: J. J. Dermody, F. F. Gaines, C. E. Lindsey, W. E. Morse, G. H. Sines, and A. O. Wharton.

“ This board shall at once establish an office at Washington, D. C., and meet for organization and elect a chairman and vice-chairman, one of whom shall preside at meetings of the board.

“ It shall be the duty of the board to hear and investigate matters presented by railroad employees or their representatives affecting:

(1) Inequalities as to wages and working conditions, whether as to individual employees or classes of employees.

(2) Conditions arising from competition with employees in other industries.

(3) Rules and working conditions for the several classes of employees, either for the country as a whole or for different parts of the country.

“ The board shall also hear and investigate other matters affecting wages and conditions of employment referred to it by the Director-General.

“ This board shall be solely an advisory body and shall submit its recommendations to the Director-General for his determination.”

Board of Adjustment No. 1:

For the purpose of adjusting disputes not directly connected with wage rates and hours of service between organized employees and the railroads, boards of adjustment referred to in Circular No. 3 were formed along the following lines:

By agreement signed by three regional directors of railroads and W. R. Stone, W. R. Lee, A. B. Garretson, and Timothy Shea, representing the Railway Brotherhoods, it was determined that a commission should be created, known as Board of Adjustment No. 1, to consist of eight members, four to be selected by the regional directors and paid by the corporations, and four by the Brotherhood chiefs and paid by the Brotherhoods.

The Commission was empowered to adjust disputes arising out of the application of the eight-hour law and to make interpretations of wage agreements. According to the wording of the agreement, "the broad question of hours and wages will be considered by the Railroad Wage Commission."

Claims came before the Board under the following method of procedure:

"Personal grievances or controversies arising under interpretation of wage agreements, and all other disputes arising between officials of a railroad and of its employees, covered by this understanding, will be handled in their usual manner by general committees of the employees, up to and including the chief operating officer of the railroad (or some one officially designated by him), when, if an agreement is not reached, the chairman of the general committee of employees may refer the matter to the chief executive officer of the organization concerned, and if the contention of the employees' committee is approved by such executive officer, then the chief operating officer of the railroad and the chief executive officer of the organization concerned shall refer the matter, with all supporting papers, to the director of the division of labor of the United States railroad administration, who will in turn present the case to the railway board of adjustment No. 1, which board shall promptly hear and decide the case, giving due notice to the chief operating officer of the railroad interested and to the chief executive officer of the organization concerned of the time set for hearing."

The agreement was made effective by General Order No. 13, issued by the Director-General.

Railroad Board of Adjustment No. 2:

Creation:

This Board created by a second agreement of "further understanding" was composed of twelve members, "six to be elected by the regional directors and compensated by the railroads, and one each by the chief executive officer of each of the six organizations of employees signatory to the agreement and to be compensated by such organizations."

Personnel:

The signers of the agreement for the workers were:

J. F. ANDERSON,

For the International Association of Machinists.

LOUIS WEYAND,

For the International Brotherhood of Boilermakers, Iron Shipbuilders and Helpers of America.

G. C. VAN DORNES,

For the International Brotherhood of Blacksmiths and Helpers.

F. R. KNIGHT,

For the Brotherhood of Railway Carmen.

O. E. HOARD,

For the Amalgamated Sheet Metal Workers' International Alliance.

F. J. McNULTY,

President of the International Brotherhood of Electrical Workers.

The agreement was made effective by General Order No. 20, issued by the Director-General of the Railroads on May 31, 1918.

Purpose and Function:

The new agreement was almost identical with the earlier agreement creating Adjustment Board No. 1. It dealt with the settlement of labor problems arising among workers in railway shops and among carmen as distinguished from transportation employees.

Railroad Board of Adjustment No. 3:

This third board of adjustment was intended to deal with grievances arising among railroad employees in the division of maintenance of way, switchmen and signal maintainers, among the clerical workers and among the telegraph operators. It functioned under an agreement similar to that creating Adjustment Board No. 1, with duties and methods based on similar lines.

Railway Boards of Adjustment dealt with grievances only when such grievances were presented through the Division of Labor. These disputes were referred through this Division for the purpose

of record and uniformity. Grievances were not presented to the Board of Railroad Wages and Working Conditions.

Women's Service Section:

Miss Pauline Goldmark, Manager

Creation:

By circular No. 2 of the Director of the Division of Labor, dated August 28, 1918, as follows:

“Effective August 29th, the Women's Service Section of the Division of Labor is hereby created and Miss Pauline Goldmark is appointed Manager with office at Washington, D. C.

“The Manager of the Women's Service Section will give consideration to conditions of employment of women on railroads under Federal control.”

UNITED STATES FUEL ADMINISTRATION

Harry A. Garfield, Administrator.

Bureau of Labor:

Mr. John P. White }
Mr. Rembrant Peale } Joint Directors.

Creation:

THIS Bureau was created through an agreement between the United States Fuel Administrator and the officials of the United Mine Workers of America by which "a complete understanding was reached wherein all questions pertaining to labor in the coal mining industry will remain under the jurisdiction of the United States Fuel Administrator. . . . This is in accord with an understanding previously reached between the Secretary of Labor and the United States Fuel Administrator. It being understood that whenever the Federal Government is called on to intervene or of its own motion intervenes in the settlement of such questions (relating to labor in the coal mining industry) whether in organized or unorganized fields, jurisdiction shall remain for the present and until otherwise arranged, in the hands of the United States Fuel Administrator."

To make this understanding effective Mr. Garfield appointed Mr. John P. White, until then president of the United Mine Workers, and Mr. Rembrant Peale, coal operator for Central Pennsylvania, joint heads of the Bureau of Labor with power to consider and dispose of all matters concerning labor in the industry properly coming before the Fuel Administration.

Policies:

The policies of the Fuel Administration in regard to labor questions were determined at a meeting at which were present: Mr. Frank J. Hayes, president; Mr. John L. Lewis, vice-president; Mr. William Green, secretary and treasurer of the United Mine Workers of America; and Mr. White and Mr. Peale, representing the Fuel Administration. They are summarized in the following outline:

"The United States Fuel Administrator understands

"(a) That no strike shall take place pending the settlement of

any controversy until the dispute has been reviewed and decided by him.

“ (b) That recognition of the Unions shall not be exacted during the continuance of the war except where now recognized by collective bargaining.

“ (c) That where, by joint contract between employer and employed, machinery is provided for the settlement of controversies, the United States Fuel Administrator shall not be required to intervene or to mediate until such means have been invoked and the remedy exhausted without reaching adjustment.

“ (d) That where the United States Fuel Administrator intervenes, substantially, the principles, provisions and practices laid down in the Maryland and Upper Potomac Settlement of May 6th, 1918, shall be accepted by the workers, and employers and their chosen representatives, as sufficient.

“ On the basis of the foregoing understanding which he regards as just and imperative in the present crisis, the United States Fuel Administrator has insisted and will continue to insist that any adjustment of labor questions in the coal mining industry, whether by joint agreement between operators and mine workers or by agreements severally made with the United States Fuel Administrator, shall embody wherever applicable and substantially, the principles, provisions and practices laid down in the Maryland and Upper Potomac Settlement of May 6th, 1918, and recognizes the authority of the International Union of Mine Workers in the organized fields and their jurisdiction over controversies arising in said fields. More specifically, the United States Fuel Administrator has insisted and will continue to insist in all such settlements

“ (a) That employers will be required to relinquish the right to discharge employees because of affiliation with labor unions.

“ (b) That employers will be required to recognize the right of their employees to organize by peaceful methods that do not interrupt production.

“ (c) That the so-called automatic penalty clause now in force being regarded by mine workers as a cardinal principle of collective bargaining during the continuance of the war, will be included in all agreements as a condition precedent to the allowance of increased price permitted to operators.

“ (d) That where the union shop now exists, the same shall continue and where union and non-union men work together, the continuance of such condition shall not be deemed a grievance.”

A Message to Mine Workers:

Issued by the Director of the Production Bureau of the Fuel Administration on August 7, 1918, announced the ap-

pointment of a production manager in each of the producing districts of the country, who should assist in the choosing of mine-committees, composed of six members, representing especially the workers and the operators at every mine where such a joint committee might be deemed advisable.

Mine Committees:

Created in order to increase production through the stimulation of patriotism, in order to make use of the best forms of publicity to inform the operatives of the needs of the nation. Causes for decreased output were investigated by them and reported to the district production manager. The appointment of these committees was a step toward greater democracy in the methods of mine management and direct increase in production was thereby looked for. They did not deal with questions of hours or wages.

The Fuel Administration was represented on the War Labor Policies Board by Mr. John P. White.

UNITED STATES FOOD ADMINISTRATION

Bureau of Labor:

NO bureau of labor or industrial service section of the Food Administration was officially created as there had been little need for such an agency. The Food Administration made no contracts and did not directly come into contact with labor problems. Whatever problems concerning labor did arise in the course of the Food Administration's work were referred to Professor M. B. Hammond, who represented the Administration on the War Labor Policies Board. Professor Hammond also dealt with all questions regarding deferred classifications and industrial furloughs and rendered decisions on such questions referred to him by the local food administrators.

